

**MINUTES**  
**CITY OF DELANO**  
**CITY COUNCIL – REGULAR MEETING**  
**March 19, 2012**

**CALL TO ORDER**

Mayor Vallejo called the meeting to order at 5:30 p.m. in the City Hall Council Chambers, 1015 – Avenue.

**FLAG SALUTE**

Councilman Aguirre led the flag salute.

**ROLL CALL**

Council members present: Aguirre, Chavez, Morris, Ramirez, Vallejo  
Council members absent: none

**OFFICIALS PRESENT**

City Manager Reyna, City Attorney Alan Peake, City Clerk Kraft, Finance Director Rios, Police Chief DeRosia, Community Development Director Cariño, City Engineer Dowling, Acting Human Resources Director Zamudio, Engineering Consultant Lippitt

**PRESENTATIONS AND AWARDS**

Ralph Lorta, 325 Brentwood Court, McFarland, spoke for the Delano Car Club. He presented a check for \$1,000 to be used for repair/replacement of the water fountain at Jefferson Park.

**ITEMS FROM THE PUBLIC**

Lupe Martinez, 1215 Lexington Street, stated he is glad an item to have the utility billing placed on the property tax bill is not on the agenda and added that it should not be on any future agenda.

Abraham Jimenez, 127 Dover Street, asked if the city is getting funding for transit. He stated that animal control service is getting better.

Robert Rivera, 1815 – Avenue, stated he was scared about what has come up on past agendas. He stated that council has called on citizens to have their trust.

Ethel Pickering, 102 Dover Place, noted that at the last meeting it was stated that the street sweeping fund is in debt and asked if that will go on the county tax bill.

Angela Soto stated she is glad the utility bill will not go on the property tax bill.

Ida Ramirez, 1616 – Place, presented a petition with almost 900 signatures regarding utility billing on the property tax bill. She stated 3,000 Delano citizens are 65 or older; over 400 homes in Delano are not occupied; most residents work in the fields. She stated the council is the citizens' voice.

Maria Martinez, 1215 Lexington Street, stated she has trust in the council and their decision making and wants to be sure the utility billing will never be on the county property tax bill.

Moved by Councilman Ramirez, seconded by Councilman Chavez and unanimously carried to hear agenda item #14 at this time due to continued public comments regarding the item.

**Item #14)** Approval of proposed rate adjustment for water, sewer, refuse, and street sweeping to be included in Proposition 218 notice.

Mr. Dowling presented the staff report. He stated this item is not to adopt new rates; it is only to approve the rate table for the Proposition 218 election. Based on feedback at the public workshops, staff is not proposing bills be included on county property tax bills. Lost accounts have been identified and staff is working to correct the billings and collect payments owed to the city.

Mr. Dowling introduced Pierce Rosem of Willdan Financial Services who gave a power pint presentation regarding the rate study. He noted that existing revenues are insufficient to cover the costs of services provided. An objective of the study was to analyze revenues to be sure funds won't be short over the next five years. The average user will have a \$7.50 increase in the total bill. A change to a tiered rate structure is recommended.

There was discussion regarding the need for more workshops; the need for a rate increase; what would happen if the council does nothing regarding a rate increase; the need for feedback from the public; the need for buy-in from the public for any increase; the difficulty for people on fixed incomes.

The following citizens spoke regarding the need for more workshops; getting input from the public; the public's mistrust of the council; the amount of the contract with Willdan Financial Services; information not being available to the public. Ethel Pickering, 102 Dover Place; Angel Diaz, 501 High Street; Greg Rodriguez, 1014 ½ Lexington Street; Lupe Martinez, 1215 Lexington Street; Juan Flores, 317 Belmont Drive; Robert Ibarra; Maria Martinez, 1215 Lexington Street; Valarie Gorospy; Nathan Ford, 1314 Belmont Street

Moved by Councilman Ramirez, seconded by Councilman Chavez and unanimously carried to continue this item to the first meeting in September and conduct workshops for the public before then.

Moved by Councilman Ramirez, seconded by Councilman Chavez and unanimously carried to recess the meeting, the time being 7:21 p.m.

Mayor Vallejo reconvened the meeting at 7:37 p.m.

#### **ITEMS FROM THE PUBLIC (continued)**

Greg Rodriguez, 1014 ½ Lexington, stated that he would like to have yard sale back and that his alley has not been swept in four years.

Steve (unable to understand), 1313 Thomas Way, stated it would be nice to have a camera on the speaker at the podium and a monitor so the audience and those in the lobby can see who is speaking.

Cornel Markham stated he is a victim twice. He stated we should have a microphone on the other side of the podium so the speaker can face the audience. He stated there is a matter of mistrust of city government.

Robert Rivera asked if city will make bid for a stop for fast train. He stated it would be good for the city and we are in a better position for it than the City of Wasco. Councilman Aguirre informed him that KernCOG is talking about the potential for Delano as a site for repair and support services.

#### **CONSENT AGENDA**

- 1) Warrant Register in the amount of \$1,193,043.99
- 2) Authorization to waive the reading of any ordinance or resolution in its entirety and consenting to the reading of such ordinances or resolutions by title only
- 3) Minutes of regular City Council meeting of March 5, 2012

- 4) Second reading and final adoption of Ordinance No. 2012-1244 adopting Chapter 7.40 of the City of Delano Municipal Code pertaining to the registration and maintenance of abandoned properties
- 5) Resolution No. 2012-24 of the City Council of the City of Delano approving Agreement No. 5600003051 with the California Department of Corrections for the City of Delano to provide waste collection, removal, and disposal services for the North Kern State Prison from April 1, 2012, through March 31, 2014 (2 years) and authorizing the mayor to execute the agreement. Agreement No. 2012-22
- 6) Acceptance of the improvements for Well 29 Equipping Project and authorize the staff to file the notice of completion with the County Recorder
- 7) Acceptance of the improvements for arsenic wellhead treatment of existing wells 21 and 24 and authorizing staff to file the notice of completion with the County Recorder
- 8) Approval of Task Order No. 6 with HydroScience Engineers in the amount of \$57,820 for construction engineering services for wellhead treatment of wells 22 and 26 for the arsenic mitigation project and authorize the city manager to sign the task order Agreement No. 2012-23
- 9) Approve payment for expenses related to the dedication of right of way for the widening of Woollomes Avenue from property currently under APN 521-020-16 and authorization for the City Manager to approve escrow arrangements for the transaction
- 10) Acceptance of quote for new flooring at the technology center from Professional Floor Layers in the amount of \$22,540
- 11) Resolutions of the City Council of the City of Delano authorizing the federal funding under FTA Section 5316 (49 U.S.C. Section 5316) with California Department of Transportation for Saturday fixed route service and commuter service to Bakersfield College Resolution No. 2012-25, Saturday service; Resolution No. 2012-26, Bakersfield College service
- 12) Approval of letter of support, addressed to Senator Michael J. Rubio, for SB 1351 regarding continued peace officer designation for local correctional officers at public community correctional facilities. Authorize travel for Police Chief, one sergeant, and one council member to Sacramento, March 27, for bill hearing

Mayor Vallejo asked that items #5 and #11 be pulled for discussion.

Moved by Councilman Ramirez, seconded by Councilman Chavez, and unanimously carried to approve the Consent Agenda with items #5 and #11 pulled for discussion.

Item #5) Mayor Vallejo asked if the times listed in the contract for refuse pick-up are correct. Mr. Dowling answered that the prison sends us a memo with the pick-up times listed.

Moved by Councilman Ramirez, seconded by Councilwoman Morris and unanimously carried to approve agenda item #5.

Item #11) Mayor Vallejo asked if it would be possible to schedule a stop in McFarland for the Bakersfield College commuter service bus. Mr. Lippitt stated he can look into that. He added it may take several month to receive the grants.

Moved by Councilman Ramirez, seconded by Councilman Chavez and unanimously carried to approve agenda item #11.

#### **PUBLIC HEARINGS**

- 13) Public hearing #2012-06: (continued from October 17, 2011) Resolution of the City Council of the City of Delano vacating an alley and a portion of Avenue in the City of

Delano, County of Kern, State of California, and ordering the recordation of such vacation

Mr. Peake stated that staff is requesting this item be tabled. It will be noticed for a public hearing when staff is ready to proceed with this project. No council action is needed on this item at this time.

### **REGULAR AGENDA**

- 14) Approval of proposed rate adjustments for water, sewer, refuse, and street sweeping to be included in Proposition 218 notice

This item was addressed earlier in the meeting.

- 15) Resolution of the City Council of the City of Delano authorizing the transfer of a 2000 Ford Crown Victoria police cruiser, VIN 2FAFP71WOYX104234, to the Delano Regional Medical Center

Councilman Aguirre left the room due to a conflict of interest. He is an employee of the Delano Regional Medical Center.

Chief DeRosia presented the staff report. Mr. Peake suggested the motion include that any costs associated with the transfer be paid by the hospital.

Moved by Councilman Ramirez, seconded by Councilman Chavez and unanimously carried to adopt Resolution No. 2012-27 authorizing the transfer of a 2000 Ford Crown Victoria to the Delano Regional Medical Center with any costs for transfer to be paid by DRMC.

- 16) Discussion and direction regarding consideration of financial assistance to Delano Chamber of Commerce City Walk

Mayor Vallejo reported that a sponsor will pay for 500 shirts. No council action is required.

### **DEPARTMENTAL REPORTS**

- 17) Oral report by Chief DeRosia regarding code enforcement and abatement

### **COUNCIL STATEMENTS AND REPORTS**

Councilman Aguirre stated that the information on the graffiti truck it is hard to see and should be bigger.

Councilman Chavez no items

Councilwoman Morris no items

Councilman Ramirez stated he had received an e-mail from Gary Davis regarding a temporary occupancy permit which he forwarded to Ms. Reyna.

Mayor Vallejo thanked the public for their input during this meeting.

### **CLOSED SESSION**

No items

### **ADJOURNMENT**

Moved by Councilman Ramirez, seconded by Councilman Chavez, and unanimously carried to adjourn the meeting at 8:23 p.m.

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Phyllis A. Kraft, City Clerk